

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

| | | |
|---|---|--------------------------|
| SHELLEY R. GARNICK, TANAJAH |) | |
| CLARK and ZOE R. JONES, individually |) | |
| and on behalf of all others similarly situated, |) | CIVIL ACTION NO.: |
| |) | |
| Plaintiffs, |) | 1:21-CV-00454-WO-JLW |
| |) | |
| v. |) | |
| |) | |
| WAKE FOREST UNIVERSITY BAPTIST |) | |
| MEDICAL CENTER, THE BOARD OF |) | |
| DIRECTORS OF WAKE FOREST |) | |
| UNIVERSITY BAPTIST MEDICAL |) | |
| CENTER, THE RETIREMENT BENEFIT |) | |
| COMMITTEE OF WAKE FOREST |) | |
| UNIVERSITY BAPTIST MEDICAL |) | |
| CENTER and JOHN DOES 1-30. |) | |
| |) | |
| Defendants. |) | |

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT, PRELIMINARY CERTIFICATION OF SETTLEMENT
CLASS, APPROVAL OF CLASS NOTICE, APPROVAL OF PLAN OF ALLOCATION,
AND SCHEDULING OF FAIRNESS HEARING**

Named Plaintiffs, Shelley R. Tco¹, Tanajah Clark, and Zoe R. Jones, (collectively “Plaintiffs”), by and through their undersigned counsel on behalf of the Wake Forest Baptist Medical Center 403(b) Retirement Savings Plan (the “Plan”), respectfully submit this Unopposed Motion for Preliminary Approval of Class Action Settlement Agreement entered into with Defendants² (the “Settlement” or “Settlement Agreement), Preliminary Approval of Class Notice, Approval of Plan of Allocation, and Scheduling of a Fairness Hearing (“Motion for Preliminary

¹ Since initiating this lawsuit Ms. Garnick has changed her last name to Tco. As such she is referred to herein, where applicable, as Shelly Tco.

² “Defendants” refers, collectively, to Wake Forest University Baptist Medical Center, the Board of Directors of Wake Forest University Baptist Medical Center, the Retirement Benefit Committee of Wake Forest University Baptist Medical Center, and John Does 1-30.

Approval”) and respectfully move this Court for an Order granting the relief sought. The grounds for this motion are set forth in Plaintiffs and their Counsel’s declarations and the memorandum of law in support of this motion, which are submitted herewith.

A Proposed Order is submitted herewith.

Dated: July 10, 2023

Respectfully submitted,

CAPOZZI ADLER, P.C.

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